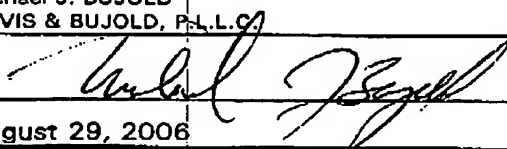
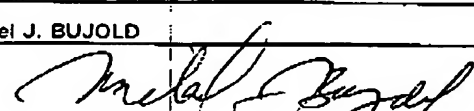


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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/574,593
	Filing Date	with an effective filing date of October 14, 2004 RECEIVED
	First Named Inventor	Detlef BAASCH et al. CENTRAL FAX CENTER
	Group Art Unit	AUG 29 2006
	Examiner Name	Fax: (571) 273-8300
Total No. of Pages in this Submission: 12	Attorney Docket Number	ZAHFRI P843US
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (in Duplicate) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part/s Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition (DELETED - no longer useful) <input type="checkbox"/> To Convert a Provisional Petition <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Subm. of Intl Prelim. Exam. Report Int'l Prelim.Exam.Report
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Firm or Individual Name	Michael J. BUJOLD DAVIS & BUJOLD, P.L.L.C.	
Signature		
Date	August 29, 2006	
Reg. No. 32,018 CUSTOMER NO. 020210		
CERTIFICATE OF TRANSMISSION		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO on August 29, 2006		
Type or printed name	Michael J. BUJOLD	
Signature		
Date: August 29, 2006 (lfb)		

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8/29/06

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Detlef BAASCH, Gerhard GUMPOLTSBERGER,
Christoph PELCHEN, Barbara SCHMOHL,
Serial no. : 10/574,593
Filed : with an effective filing date of October 14, 2004
For : TRANSMISSION AND DRIVE TRAIN FOR A
VEHICLE
Group Art Unit :
Examiner :
Docket : ZAHFRI P843US

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

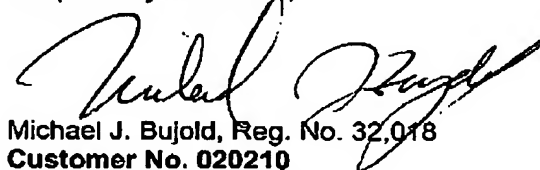
SUBMISSION OF ENGLISH TRANSLATION OF
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Dear Sir:

Enclosed please find an English translation of the International Preliminary Examination Report concerning the above-identified application. Please enter the same into the record of this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018
Customer No. 020210
Davis & Bujold, P.L.L.C.
112 Pleasant Street
Concord, NH 03301-2931
Telephone 603-226-7490
Facsimile 603-226-7499
E-mail: patent@davisandbujold.com

PATENT COOPERATION TREATY

PCT/EP2004/011528

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

TS Eingang

17. Aug. 2006

ZF FRIEDRICHSHAFEN AG
88038 Friedrichshafen
ALLEMAGNE

Date of mailing (day/month/year) 03 August 2006 (03.08.2006)		
Applicant's or agent's file reference 8764 WO RSF-RIX		IMPORTANT NOTIFICATION
International application No. PCT/EP2004/011528		International filing date (day/month/year) 14 October 2004 (14.10.2004)
Applicant ZF FRIEDRICHSHAFEN AG et al		

1. Transmittal of the translation to the applicant



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer

Ellen Moyse

Facsimile No. +41 22 338 82 70

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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 8764 WO RSF-RIX	FOR FURTHER ACTION		See item 4 below
International application No. PCT/EP2004/011528	International filing date (day/month/year) 14 October 2004 (14.10.2004)	Priority date (day/month/year) 22 October 2003 (22.10.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant ZF FRIEDRICHSHAFEN AG			

- This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
- This REPORT consists of a total of 9 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
- This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
- The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland		Date of issuance of this report 27 July 2006 (27.07.2006)
Facsimile No. +41 22 338 82 70 Form PCT/IB/373 (January 2004)		Authorized officer Ellen Moyse e-mail: pt05@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY**PCT***Translation*WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:		Date of mailing (day/month/year)		See Form PCT/ISA/210 (sheet 2)
Applicant's or agent's file reference 8764 WO RSF-RIX		FOR FURTHER ACTION See paragraph 2 below		
International application No. PCT/EP2004/011528	International filing date (day/month/year) 14.10.2004	Priority date (day/month/year) 22.10.2003		
International Patent Classification (IPC) or both national classification and IPC F16H48/30				
Applicant ZF FRIEDRICHSHAFEN AG				

1. This opinion contains indications relating to the following items:	
<input checked="" type="checkbox"/>	Box No. I Basis of the opinion
<input type="checkbox"/>	Box No. II Priority
<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV Lack of utility of invention
<input checked="" type="checkbox"/>	Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI Certain documents cited
<input type="checkbox"/>	Box No. VII Certain defects in the international application
<input type="checkbox"/>	Box No. VIII Certain observations on the international application
2. FURTHER ACTION	
<p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p>	
3. For further details, see notes to Form PCT/ISA/220.	

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/ISA/237 (cover sheet) (January 2004)

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/011528

Box No. I	Basis of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language: _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>
2.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>
3.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
4.	<p>Additional comments:</p>

Form PCT/ISA/237 (Box No. I) (January 2004)

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/EP2004/011528

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	5, 6, 8, 21-25	YES
	Claims	1-4, 7, 9-20	NO
Inventive step (IS)	Claims	6, 8, 21-25	YES
	Claims	1-5, 7, 9-20	NO
Industrial applicability (IA)	Claims	1-25	YES
	Claims		NO
2. Citations and explanations:			
<p>1. Reference is made to the following documents:</p> <p>D1: EP-A-0 533 921 (KABUSHIKI KAISHA KOMATSU SEISAKUSHO) 31 March 1993 (1993-03-31)</p> <p>D2: US-A-4 471 669 (SEABERG ET AL) 18 September 1984 (1984-09-18)</p> <p>D3: US-A-4 641 548 (GREENWOOD ET AL) 10 February 1987 (1987-02-10)</p> <p>2. Document D1 discloses (the references between parentheses relate to this document): Transmission apparatus for distributing a drive moment to at least two output shafts (18, 25) having at least two planetary sets (101, 151) with at least three shafts, in each case one shaft (13 or 20) of a planetary set (101 or 151) being connected to a drive shaft (32) and in each case one shaft of a planetary set (101 or 151) representing in each case one of the output shafts (18 or 25), in each case at least one further shaft (14a or 21a) of a planetary set (101 or 151) being connected to a shaft (14a or 21a) of a further planetary set (151 or 101) via a controllable and regulatable operative connection (4, 2, 9, 8, 10, 3, 5), and it being possible for in each case a moment of a shaft (14a or 21a) which is a function</p>			

Form PCT/ISA/237 (Box No. V) (January 2004)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/011528

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

of the operating state to be supported via the operative connection (4, 2, 9, 8, 10, 3, 5) as a function of an operating state of the respective other shaft (21a or 14a) which is operatively connected thereto, in such a way that, if a rotational-speed difference occurs between the output shafts (18, 25), a moment which changes the rotational-speed difference acts via the operative connection (4, 2, 9, 8, 10, 3, 5) on the planetary sets (101, 151) at least temporarily, and the first shaft (20) of the second planetary set being connected directly to the drive shaft (32), and a gear wheel (33) which is mounted on the housing side being provided between the first shaft (13) of the first planetary set and the drive shaft (32). The subject matter of claim 1 is therefore not novel (PCT Article 33(2)).

3. Document D1 also discloses the additional features of claims 2, 3 and 4. The subject matter of claims 2, 3 and 4 is therefore not novel (PCT Article 33(2)).

During engine braking, the motors (4) and (5) in document D1 function like a brake. The subject matter of claim 5 therefore does not involve an inventive step (PCT Article 33(3)).

4. Document D2 discloses (the references between parentheses relate to this document): Transmission apparatus for distributing a drive moment to at least two output shafts (52) having at least two planetary sets (42, 44) with at least three shafts, in each case one shaft (40) of a planetary set (42 or 44) being connected to a drive shaft (34) and in each case one shaft of a

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/011528

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

planetary set (42, 44) representing in each case one of the output shafts (52), in each case at least one further shaft (48) of a planetary set (42 or 44) being connected to a shaft (48) of a further planetary set (44 or 42) via a controllable and regulatable operative connection (80, 74, 32, 78, 82), and it being possible for in each case a moment of a shaft (48) which is a function of the operating state to be supported via the operative connection (80, 74, 32, 78, 82) as a function of an operating state of the respective other shaft (48) which is operatively connected thereto, in such a way that, if a rotational-speed difference occurs between the output shafts (48), a moment which changes the rotational-speed difference acts via the operative connection (80, 74, 32, 78, 82) on the planetary sets (42, 44) at least temporarily, the operative connection (80, 74, 32, 78, 82) between the two third shafts (48) of the planetary sets (42, 44) being formed with a third planetary set (60, 62, 58), and a [lacuna] the shafts (differential housing) of the third planetary set (60, 62, 58) being configured in a manner which is fixed to the housing. The subject matter of claim 7 is therefore not novel (PCT Article 33(2)).

5. Document D2 also discloses the additional features of claims 9 to 17. The subject matter of claims 9 to 17 is therefore not novel (PCT Article 33(2)).

6. Document D1 discloses (the references between parentheses relate to this document): Transmission apparatus for distributing a drive moment to at least two output shafts (18, 25) having at least two planetary sets

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WRITTEN OPINION OF THE
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International application No.

PCT/EP2004/011528

Box No. V	Reasoned statement under Rule 43bis1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
	<p>(101, 151) with at least three shafts, in each case one shaft (13 or 20) of a planetary set (101 or 151) being connected to a drive shaft (32) and in each case one shaft of a planetary set (101, 151) representing in each case one of the output shafts (18, 25), in each case at least one further shaft (14a or 21a) of a planetary set (101 or 151) being connected to a shaft (21a or 14a) of a further planetary set (151 or 101) via a controllable and regulatable operative connection (4, 2, 9, 8, 10, 3, 5), and it being possible for in each case a moment of a shaft (14a or 21a) which is a function of the operating state to be supported via the operative connection (4, 2, 9, 8, 10, 3, 5) as a function of an operating state of the respective other shaft (14a or 21a) which is operatively connected thereto, in such a way that, if a rotational-speed difference occurs between the output shafts (18, 25), a moment which changes the rotational-speed difference acts via the operative connection (4, 2, 9, 8, 10, 3, 5) on the planetary sets (101, 151) at least temporarily, and the operative connection between the two third shafts (14a, 21a) of the first planetary set (101) and of the second planetary set (151) being configured with an infinitely variable transmission device (2, 4, 3, 5). The subject matter of claim 18 is therefore not novel (PCT Article 33(2)).</p> <p>7. Document D1 also discloses the additional features of claim 20. The subject matter of claim 20 is therefore not novel (PCT Article 33(2)).</p> <p>8. A similar objection as under point 6 is raised for claim 18 on the basis of D3. Document D3 also discloses</p>

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/011528

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

the additional features of claim 19. The subject matter of claim 19 is therefore not novel (PCT Article 33(2)).

9. The combination of features contained in dependent claim 6 is neither known from the available prior art nor rendered obvious by it. Dependent claim 6 therefore meets the requirements of PCT Article 33(2) and (3).

The combination of features contained in dependent claim 8 is neither known from the available prior art nor rendered obvious by it. Dependent claim 8 therefore meets the requirements of PCT Article 33(2) and (3).

The combination of features contained in dependent claim 21 in the version which is dependent on claim 1 is neither known from the available prior art nor rendered obvious by it. Dependent claim 21 in the version which is dependent on claim 1 and dependent claims 22 to 25 therefore meet the requirements of PCT Article 33(2) and (3).

The combination of features contained in dependent claim 21 in the version which is dependent on claim 7 is neither known from the available prior art nor rendered obvious by it. Dependent claim 21 in the version which is dependent on claim 7 and dependent claims 22 to 25 therefore meet the requirements of PCT Article 33(2) and (3).

The combination of features contained in dependent claim 21 in the version which is dependent on claim 18 is neither known from the available prior art nor rendered

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/011528

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

obvious by it. Dependent claim 21 in the version which is dependent on claim 18 and dependent claims 22 to 25 therefore meet the requirements of PCT Article 33(2) and (3).

For the reasons of unity, only one of these possibilities should be selected as an independent claim.

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